

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

RECEIVED

NOV 18 2009

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. 4:09-CR-184
)	
v.)	<u>INDICTMENT</u>
)	T. 29 U.S.C. §§ 439(b) and 501(c)
JOHN ANDREW MENNENGA,)	
)	
Defendant.)	

THE GRAND JURY CHARGES:

COUNT 1

(Embezzlement from a Labor Union - 29 U.S.C. § 501(c))

Between on or about January 27, 2003 and continuing through on or about March 7, 2008, in the Southern District of Iowa, the defendant, JOHN ANDREW MENNENGA, while an officer, that is, Recording Secretary-Treasurer of the Railroad Signalmen Local Lodge 98, a labor organization engaged in an industry affecting commerce, did embezzle, steal and unlawfully and willfully abstract and convert to his own use and the use of another, the moneys, funds, securities, property and other assets of said labor organization in the approximate amount of \$14,042.00.

This is a violation of Title 29, United States Code, Section 501(c).

THE GRAND JURY FURTHER CHARGES:

COUNT 2

(False Statement in Labor Union Financial Report - 29 U.S.C. § 439(b))

1. At all times material to this Indictment, the Railroad Signalmen Local Lodge 98 was a labor organization in an industry affecting commerce within the meaning of Sections 402(i) and 402(j) of Title 29, United States Code.

2. On or about July 20, 2006, in the Southern District of Iowa, the defendant, JOHN ANDREW MENNENGA, did knowingly fail to disclose a material fact in a report and document required to be filed by the Railroad Signalmen Local Lodge 98 with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code, the annual financial report form LM3, in that he knowingly failed to disclose the correct amount of union funds received by him during the reporting period.

This is a violation of Title 29, United States Code, Section 439(b).

THE GRAND JURY FURTHER CHARGES:

COUNT 3

(False Statement in Labor Union Financial Report - 29 U.S.C. § 439(b))

1. At all times material to this Indictment, the Railroad Signalmen Local Lodge 98 was a labor organization in an industry affecting commerce within the meaning of Sections 402(I) and 402(j) of Title 29, United States Code.

2. On or about March 30, 2007, in the Southern District of Iowa, the defendant, John Andrew Mennenga, did knowingly fail to disclose a material fact in a report and document required to be filed by the Railroad Signalmen Local Lodge 98 with the Secretary of Labor

pursuant to Section 431 of Title 29, United States Code, the annual financial report form LM3, in that he knowingly failed to disclose the correct amount of union funds received by him during the reporting period.

This is a violation of Title 29, United States Code, Section 439(b).

A TRUE BILL.

/s/

FOREPERSON

Matthew G. Whitaker
United States Attorney

By: /s/ Mary C. Luxa
Mary C. Luxa
Assistant United States Attorney